

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANDRA M. HAGINS,

Petitioner,

v.

JOHN GAY, WARDEN,

Respondent.

Case No. C06-5676FDB-KLS

ORDER REGARDING
PETITIONER'S REQUEST FOR
EXTENSION OF TIME FOR
STAY AND ABEYANCE

This matter is before the Court on petitioner's filing of a letter addressed to the Clerk (Dkt. #12), dated June 25, 2007, in which he states the Washington State Supreme Court has not yet ruled on his motion to modify with respect to the remaining unexhausted claim in this case. Petitioner filed this letter pursuant to this Court's order that he file a report every six months concerning the status of his pending state personal restraint petition, with the first such report due July 5, 2007. See (Dkt. #9).

Petitioner also requests in that letter an extension of time for the stay and abeyance until the state has properly responded to his motion to modify. Such an extension, however, is unnecessary, as the Court has stayed this matter until such time as petitioner exhausts the remaining unexhausted claim, and files an amended federal *habeas corpus* petition which includes that exhausted claim, which he must do within 30 days after the exhaustion has occurred.

Accordingly, for all of the foregoing reasons, petitioner's request for an extension of the stay and abeyance (Dkt. #12) hereby is DENIED. Petitioner further is reminded of his responsibility to file a status report regarding the pending state proceedings every six months, unless, as discussed above, he exhausts

1 the remaining unexhausted claim earlier.

2 The Clerk shall send a copy of this Order to petitioner and counsel for respondent.

3 DATED this 6th day of July, 2007.

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7 Karen L. Strombom
8 United States Magistrate Judge
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